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Attorneys for Mr. Fernandez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JOHN A. HOUSTON)

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

JOSE JUAN FERNANDEZ,)

Defendant.)

Criminal No. 08CR0802-JAH

Date: May 27, 2008

Time: 8:30 a.m.

NOTICE OF MOTION AND MOTION
TO SHORTEN TIME

The defendant, Jose Juan Fernandez, by and through his attorneys, David M.C. Peterson, and Federal Defenders of San Diego, Inc., moves this Court for an order shortening time in his reply listed in the attached pleadings to allow him to file the motion on May 23, 2008, to be heard May 27, 2008 at 8:30 a.m. or as soon thereafter as counsel may be heard, for the following reason:

Counsel did not receive the government's response until May 22. Exercising all diligence, it took him one business day to reply to the arguments made government's opposition.

Respectfully submitted,

Dated: May 23, 2008

/s/ David M.C. Peterson

David M.C. Peterson

Federal Defenders of San Diego, Inc.

Attorneys for Mr. Fernandez

David_Peterson@fd.org

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing is true and accurate to the best information and belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

Courtesy Copy to Chambers

Copy to Assistant U.S. Attorney via ECF NEF

Copy to Defendant

Dated: May 23, 2008

/s/ DAVID M. C. PETERSON
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